

**WILLIAMSBURG CITY COUNCIL
WORK SESSION MINUTES
July 8, 2002**

The Williamsburg City Council held a work session on July 8, 2002, at 2:00 p.m. in the Council Chambers of the Stryker Building.

ATTENDANCE

Present were Ms. Zeidler, Messrs. Genakos, Haulman, Houghland, and Tabb. Also present were City Manager Tuttle, City Attorney Phillips, and City Clerk Crist.

Staff Attending: Department Heads Nester and Serra; Assistant to the City Manager Jodi Miller

CALL TO ORDER

Mayor Zeidler called the meeting to order. Mayor Zeidler welcomed Mr. Genakos to Council.

OPEN FORUM

Mayor Zeidler opened the session for public comment.
No one wished to speak. The session was closed.

BACKGROUND PRESENTATIONS/DISCUSSION

High Street Update—City Manager Jack Tuttle, Lerner Enterprises, Art Fuccillo

Mr. Tuttle said it had been four months since City Council approved the purchasing agreement with Lerner Enterprises, and it was time for an update on the status of High Street. He gave a brief overview of the background of the project, from the initial hiring of the marketing agent to the approval of the purchase agreement with Lerner Enterprises last March. City staff and the City Attorney have been working closely with Lerner, and it has been an enjoyable and exciting time. Lerner has submitted a letter extending the leasing period of the agreement through December of this year. A meeting of the Citizen Focus Group has been tentatively set for July 30, 7:00 p.m., at which time the group will meet with the project architect to exchange ideas.

Mr. Tuttle reported that the city recently entered into an agreement with VDOT to give the city the authority to construct Treyburn Drive, and adopted Public-Private Transportation Act Guidelines. The city is currently accepting proposals for construction of the street, which is an important component of developing the High Street project and for traffic circulation in that part of town. He met with representatives from Chambrel and James City County. He was pleased with the progress to acquire three parcels along Richmond Road: The Chrysler dealership, Carolyn Court property, and a small parcel behind Carolyn Court.

Mr. Art Fuccillo, Lerner Enterprises, said Lerner has had the pleasure of working with Mr. Tuttle, Joe Phillips, and Jim Tucker. He reported that Lerner has done the following work:

1. Selected the professional architectural firm of KA, Inc., Cleveland, Ohio.
2. Contracted Norman Mason as Project Engineer, who will complete soil,

environmental, and grading work for the project.

3. Held charettes to discuss design features.
4. Met with 50-60 potential tenants, and talked with a major department store.
5. Completed the search for a theater operator and are in final negotiations at this time.

Mr. Fuccillo said that Lerner remains positive and optimistic about the project. He confirmed for Mayor Zeidler that Lerner has had a positive response about the development, and wants to extend the study period.

Mayor Zeidler congratulated Mr. Fuccillo on his presentation. The project provides the balance the city wants, what it wants it to look like, and its quality.

Mr. Houghland confirmed with Mr. Tuttle that the Treyburn Drive construction package includes engineering services. Council members were very encouraged by Mr. Tuttle's and Mr. Fuccillo's update on the project.

Mr. Tuttle responded to Mr. Genakos that in his meetings with Chambrel, the issues of entrance, access, and design were discussed. Chambrel is excited about High Street and what it will mean to the area, especially now that the hospital is relocating.

Rental Housing Registration and Inspection Program Update—City Manager Jack Tuttle

Reference for this item was Mr. Tuttle's report dated July 2, 2002, which included copies of correspondence, received about the program. Mayor Zeidler encouraged people to review the draft program and share their thoughts and comments over the next few months.

Mr. Tuttle said the city continues to collect comments, and staff will continue its study to create an effective program. The next draft ordinance will be reviewed at the August work session. Council members were encouraged by the response received and desire a program that will be fair and equitable for everyone.

Peninsula Light Rail Study Update—Planning Director Reed Nester

Mr. Nester provided Council members with a brief update of the Light Rail Study. He reported that the alignments have been pared down to five from the original ten. Using an overhead, he pointed out the five alignment options.

1. CSX Mainline/Victoria
2. CSX Mainline/Mercury Boulevard at Grade
3. CSX Mainline/Hampton Center Parkway
4. CSX Mainline/1,2, or 3 with Airport/Oyster Point
5. The final alignment may include a portion of more than one of the above.

The city has expressed concerns about the details of the project, such as overhead wires, the impact on CSX right-of-way, parking for commuters, and interference with

Amtrak service and future high-speed rail service. Mr. Nester said the Steering Committee will meet again in September. Mr. Nester has met individually with members of Council and will do the same with Mr. Genakos.

Council members briefly discussed the report. The Mayor noted that Mr. Houghland represents the city on the High Speed Rail Committee. Mr. Tabb said he will soon travel to Maryland and will experience light rail first hand.

PREVIEW OF CITY COUNCIL MEETING –July 11, 2002

Council members received a copy of the July 11 agenda.

Regarding the request of the Williamsburg Redevelopment and Housing Authority, Mr. Tuttle explained that the Triangle Block project requires that the right-of-way line be altered to place the property line for the Triangle Building consistently at the rear of the sidewalk. City staff will recommend approval, but remain concerned about the streetscape, sidewalks, trees, and the retaining wall on Scotland Street. Hopefully, by the July 11 meeting, the details will be worked out with the Housing Authority. It is important to the city that the property line and streetscape are resolved at this time.

Mr. Houghland asked that Mr. Tuttle provide the history of how the WRHA became the landlord of the Triangle Block at the July 11 meeting

SCHEDULE OF MEETINGS—July 2002

Mr. Tuttle reported he would attend the Senior Executive Institute at UVA for two weeks, July 15-26. Ms. Jodi Miller, Assistant to the City Manager, will be Acting City Manager in his absence.

OPEN FORUM

Mayor Zeidler opened the session for public comment.

Several people commented about the Rental Housing Registration and Inspection Program.

Ms. Antoinette McCulley, 210 Matoaka Court, was concerned about the rental properties and crowded on-street parking on her street. She asked how current laws and regulations regarding rental property were enforced, the consequences to landlords for breaking those laws, and how many private citizens are willing to become the target of a displeased landlord. She asked that Council be supportive of single dwelling homeowners.

Pam Blank, 11 Berkeley Circle, Berkeley Realty Property Management and Residents for Responsible Rentals, complained that she and others have received no reply to their correspondence with the city. She suggested that before Mr. Tuttle presents another proposal, representatives of their group meet with city staff to resolve issues with the program.

Mike Putt, 103 Sharps Road, would like a response to his questions. Mr. Catlett told him that the report he requested was not available and would cost money to compile. The city should have the information. He suggested a meeting to discuss the issues involved.

Mayor Zeidler noted that comments received are being compiled and considered.

Charles Glazener, 112 Maxwell Place, is a landlord in the city. He was sympathetic to Ms. McCulley and would also like the same answers. If ordinances regulating rentals already exist and violations occur, he would expect the city to enforce them.

Dustin DeVore spoke for Alvin Anderson, Attorney, representing property owners in this matter. He asked that the answers to previous questions, and those posed today, be given to him and he will funnel them to the interested parties. The problems with rental property could be handled under existing ordinances regarding lawns, noise, and safety. The registration program will not change anything, but will add more bureaucracy. The Residents for Responsible Rentals would like information from the city about citations and enforcement. He referred to the letter submitted to Council last month and again questioned whether Council has the authority to adopt such a program.

Jay Colley, 7 Forest Hill Drive, was of the opinion that current ordinances are enough to address rental problems. Many people are against Mr. Catlett's program.

Mr. Haulman clarified that it was City Council that asked staff to put together this report on the program. Not Mr. Catlett.

Charlene Talcott, sympathized with the problems with rental property, but felt an inspection program cannot resolve them, especially if inspections occur when students are not in the rental. Landlords are put in a parental role and cannot always keep up with students who rent their properties. Regulate the action of students.

Sabrina Fairbanks, 119 Berkeley Lane, addressed parking regulations. She hoped that the program would not make landlords responsible for parking problems.

Bill Gary, 601 Wythe Lane, thanked Council for taking a leadership role in this matter. Issues do exist and the question is how to go forward. In his neighborhood, landlords address problems with tenants. Ground rules are needed and the program must be fair.

William R. Bland, 404 Capitol Landing Road, landlord and resident, was concerned about enforcing current ordinances for rental problems. More staff may be needed to enforce the ordinance. In his opinion, the registration program was being created to finance enforcement staff to administer the program. The cost will be passed on to landlords and tenants, but the additional staffing costs should be covered in the general fund. Many rentals in his neighborhood are older homes, smaller homes, and it would not be financially profitable to remodel them.

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Sharon Scruggs, 119 Woodmere Ct., said that enforcement is a problem with rental homes. She liked the suggestions that an informational brochure be compiled for renters and code information be provided to landlords. She appreciated the city taking the lead.

Single-family home rental is a business and licensing covers some of the costs involved and contributes to the tax base.

No one else wished to speak. The session was closed.

CLOSED SESSION

Mr. Houghland Moved that City Council go into Closed Session pursuant to Section 2.2-3711 of the Code of Virginia for the purpose of discussing 2 personnel matters per subparagraph 1 and one legal matter per subparagraph 7 for the purpose of consultation on specific legal matters requiring the provision of legal advice by counsel. The Motion was Seconded by Mr. Tabb.

Recorded Vote on the Motion:

Aye: Genakos, Haulman, Zeidler, Houghland, Tabb

No: None

The meeting adjourned at 3:15 p.m. (Mayor Zeidler called a five-minute recess.)

At 3:50 p.m., Council met in Open Session.

Mr. Houghland Moved the Certification of Closed Meeting. The Motion was Seconded by Mr. Haulman.

Recorded Vote on the Motion:

Aye: Genakos, Haulman, Zeidler, Houghland, Tabb

No: None

CERTIFICATION OF CLOSED MEETING

Date: July 8, 2002

Motion: Houghland Second: Mr. Tabb

WHEREAS, the City Council of the City of Williamsburg has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Williamsburg hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the

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closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the City of Williamsburg.

VOTE:

Aye: Genakos, Haulman, Zeidler, Houghland, Tabb

No: None

Absent During Vote: None

Absent During Meeting: None

The meeting adjourned at 3:50 p.m.

Clerk of Council

Mayor